

§ 452.138

of title IV of the Act. Any election held thereafter would have to comply with the requirements of the Act.

§ 452.138 Application of other laws.

(a) Section 403⁵⁹ provides that no labor organization shall be required by law to conduct elections of officers with greater frequency or in a different form or manner than is required by its own constitution or bylaws, except as otherwise provided by the election provisions of the Act.

(b) The remedy⁶⁰ provided in the Act for challenging an election already conducted is exclusive.⁶¹ However, existing rights and remedies to enforce the constitutions and bylaws of such organizations before an election has been held are unaffected by the election provisions. Section 603⁶² which applies to the entire Act, states that except where explicitly provided to the contrary, nothing in the Act shall take away any right or bar any remedy of any union member under other Federal law or law of any State.

[38 FR 18324, July 9, 1973, as amended at 50 FR 31311, Aug. 1, 1985]

PART 453—GENERAL STATEMENT CONCERNING THE BONDING REQUIREMENTS OF THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959

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⁵⁹ Act, sec. 403.

⁶⁰ Act, sec. 402.

⁶¹ Act, sec. 403. See Daily Cong. Rec. 86th Cong., 1st sess., p. 9115, June 8, 1959, pp. 13017 and 13090, July 27, 1959. H. Rept. No. 741, p. 17; S. Rept. No. 187, pp. 21–22, 101, 104. Hearings, House Comm. on Education and Labor, 86th Cong., 1st sess., pt. 1, p. 1611. See also *Furniture Store Drivers Local 82 v. Crowley*, 104 S.Ct. 2557 (1984).

⁶² Act, sec. 603.

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453.5 Officers, agents, shop stewards, or other representatives or employees of a labor organization.

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AUTHORITY: Sec. 502, 73 Stat. 536; 79 Stat. 888 (29 U.S.C. 502); Secretary’s Order No. 5–96, 62 FR 107, January 2, 1997.

SOURCE: 28 FR 14394, Dec. 27, 1963, unless otherwise noted.